

OFFICE OF THE MONITOR

NUNEZ, ET AL. V. CITY OF NEW YORK

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RECEIVED

December 30, 2015

**Via ECF**

The Honorable Laura T. Swain  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10006

*Re: Nunez, et al. v. City of New York, et al., 11-cv-5845 (LTS) (JCF)*

Dear Judge Swain:

We write to respectfully recommend adjustments to a number of the 60-day deadlines in the *Nunez* Consent Judgment, as set forth in the chart below. We have discussed the proposed adjustments with the Parties and they have no objections.

We believe our proposed adjustments are necessary to provide additional time for the Monitoring Team to continue working with the Department to develop and implement several of the policies, training curricula, practices and protocols required by the Consent Judgment. As Your Honor has noted, these requirements are complex and should be carefully coordinated to ensure sustainable reform. We, along with the Monitoring Team, are working diligently with the Department and its stakeholders to determine how best to advance these reforms.

We are impressed and encouraged by the commitment, diligence, and thoroughness of the Department's efforts to date, including their efforts to meet the current deadlines in the Consent Judgment. However, we believe that additional time is necessary to enable the Monitoring Team to continue working with the Department to develop and coordinate implementation of these provisions so that the overall goals of the

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Consent Judgment are achieved.

The chart below identifies the targeted provisions that we recommend warrant additional time. The last column in the chart identifies the proposed extension of time for each provision that we respectfully request your Honor approve and order.

Consent Judgment Provision	Description of Provision	Current Deadline	Recommended Extension of Time
Section V ¶ 21	<b>Use of Force Reporting and Tracking</b> --Department to develop definitions for categories of institutional violence data	60 Days from Effective Date	Additional 30 Days
Section XIII ¶ 1	<b>Training</b> --Department to develop new staff training programs (Use of Force policy, Crisis Intervention, Probe Team)	60 Days from Effective Date	Additional 60 days
Section XIII ¶ 2	<b>Training</b> --Department to improve staff training (Defensive Tactics, Cell Extraction Team, and Investigator)	60 Days from Effective Date	Additional 60 days
Section XIII ¶ 4	<b>Training</b> --Department to develop new Direct Supervision staff training	60 Days from Effective Date	Additional 60 days
Section XVI ¶ 3	<b>Inmate Discipline</b> --Department to develop and implement an incentive system for inmates under 18	60 Days from Effective Date	Additional 30 Days
Section XVI ¶ 4	<b>Inmate Discipline</b> --Department to develop and implement a disciplinary system for inmates under 18	60 Days from Effective Date	Additional 30 Days

Please do not hesitate to contact us if you have any questions or require further information on the proposed extensions.

The requested extensions are granted.


Sincerely,

s/ Steve J. Martin

Steve J. Martin, Monitor

Anna E. Friedberg, Deputy Monitor

**SO ORDERED:**

 1/5/2016  
HON. LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE

